

REMARKS

Claims 1, 2, 5-12 and 15-22 have been rejected under 35 U.S.C. § 102 as being anticipated by Campau. Claim 23 has been rejected under 35 U.S.C. § 103 as being obvious over Campau in view of Gerlach. Claims 3, 4, 13 and 14 have been deemed allowable.

Applicant respectfully traverses the rejections of the claims, and requests reconsideration of the claims, as amended.

Each of the independent claims 1, 12 and 23 have been amended to change "drain opening" to --drain outlet--. As such, claim 1 requires "a drain outlet raised above floor" of the delayed chamber, and provides that "the water flows out of the drain outlet when the level of water in the delay chamber reaches the level of the drain outlet." Similarly, independent claim 12 requires "a drain outlet elevated in the delay chamber" and "water flowing out of the drain outlet upon rising to the level of the drain outlet." Independent method claim 23 requires a chamber in the cap with an elevated drain outlet, and requires the step of "draining water from the chamber into the cabinet when the water level in the chamber rises to the level of the drain outlet in the chamber."

The Campau patent cited against the independent claims 1, 12 and 23 does not meet these limitations regarding the drain outlet being elevated in the chamber or raised above the floor of the chamber and water flowing out of the outlet when it reaches the level of the outlet. To the contrary, in Campau, the drain outlet 48 is below the chamber 53. While the drain inlet on the tube 40 of Campau is elevated or raised above the floor of the chamber 53, such an inlet is separate from the outlet, and does not meet the claim limitations regarding the outlet. Therefore, Campau does not anticipate independent claims 1 and 12, and even if combined with Gerlach, does not meet the limitations of independent method claim 23.

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Accordingly, independent claims 1, 12 and 23 distinguish over the references so as to be in proper form for allowance, along with the claims depending therefrom.

Furthermore, each of claims 1, 12 and 23 requires the inlet of air through the drain outlet as the chamber fills with water. The tube 40 of Campau does not allow such an inlet of air as the chamber 53 is filled with water, since the water in the chamber blocks air from the inner end of the tube 40, as seen in Figure 5. Therefore, Campau provides a separate air inlet at the juncture of the base 50 and the container 20, as best seen in Figure 6. Thus, claims 1, 12 and 23 further distinguish over Campau, alone or in combination, so as to be allowable.

In view of the foregoing, Applicant respectfully requests that this amendment be entered and that a Notice of Allowance be issued.

This amendment accompanies the filing of a Request for Continued Examination (RCE). Please charge Deposit Account No. 26-0084 the amount of \$790.00 for the RCE per the attached transmittal. No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Respectfully submitted,


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